

**ORIGINAL**

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July 22, 2004

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

**Re: EX PARTE PRESENTATION
WT DOCKET NO. 04-70**

Dear Ms. Dortch:

By this filing, Cingular Wireless Corporation ("Cingular") reiterates the need for expeditious review of the pending applications in the captioned docket seeking to transfer control of AT&T Wireless Services, Inc. ("AWS") and its subsidiaries to Cingular Wireless. Since the filing of the applications, the press has regularly reported the on-going struggles of AWS. Today, both *The Wall Street Journal* and *The Washington Post* published articles noting:

- "Two years ago, the nation's six big wireless carriers could do no wrong. . . . But now, the industry has split into camps of haves and have-nots, with the winners reporting stable or rising average customer revenue, falling customer turnover, solid subscriber growth and increasing revenue from data services. The losers, meanwhile, are struggling with high turnover, tepid subscriber growth – or subscriber growth that comes at the expense of revenue – and uncertain data revenue;"¹
- "Leading the have-not camp is AT&T Wireless Services, Inc., which reported another weak quarter, including virtually flat subscriber growth;"²
- AWS's profit has decreased by nearly 75 percent in the last quarter – from \$228 million to \$61 million;³
- AWS's "services revenue declined for the first time in the company's history;"⁴ and

¹ Jesse Drucker, *Sprint, Nextel Earnings Dwarf Peers*, THE WALL STREET JOURNAL, July 22, 2004, at B4 ("Drucker Article").

² Drucker Article at B4; accord Yuki Noguchi, *Nextel Reports Big Rise in Profit*, THE WASHINGTON POST, July 22, 2004, at E1, E5 ("Noguchi Article") (noting that AWS added a mere 15,000 new subscribers last quarter).

³ Drucker Article at B4; see Noguchi Article at E5.

⁴ Drucker Article at B4.

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- AWS “continued to report high monthly customer turnover of 3.4%, well above the industry average.”⁵

The Wall Street Journal also noted that, although Cingular added 428,000 new net subscribers, Verizon Wireless and T-Mobile each added more than one million new net subscribers.⁶

If you have any questions, please contact the undersigned.

Respectfully submitted,



Brian F. Fontes
Vice President-Federal Relations

⁵ Drucker Article at B4.

⁶ Drucker Article at B4.